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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 UNITED STATES OF AMERICA, )  
9 )  
Plaintiff, ) Case No. CR03-516-JCC  
10 v. ) **PROPOSED FINDINGS OF**  
11 TIA MARIA TREVINO, ) **FACT AND DETERMINATION**  
12 Defendant. ) **AS TO ALLEGED**  
**VIOLATIONS OF SUPERVISED**  
**RELEASE**

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13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on September  
15 18, 2009. The defendant appeared pursuant to a warrant issued in this case. The United States  
16 was represented by Michael Dion, and defendant was represented by Jennifer E. Horwitz. Also  
17 present was U.S. Probation Officer Jerrod Akins. The proceedings were digitally recorded.

18 SENTENCE AND PRIOR ACTION

19 Defendant was sentenced on June 18, 2004 by the Honorable John C. Coughenour for Bank  
20 Fraud. She received 12 months and one day of imprisonment and 5 years of supervised release.

21 In a violation report dated May 16, 2008, Ms. Trevino violated the terms of her supervised  
22 release by committing the crime of theft, associating with a person engaged in criminal activity,  
23 and failing to report contact with law enforcement. The first two violations were dropped and

1 defendant admitted to failing to report to a law enforcement contact. On June 20, 2008, the  
2 Court modified defendant's conditions of supervised release to include the condition that she  
3 participate in the electronic home monitoring program for 180 days.

4 PRESENTLY ALLEGED VIOLATIONS

5 In a petition dated August 21, 2009, U.S. Probation Officer Jerrod Akins alleged that  
6 defendant violated the following conditions of supervised release:

7 1. Failing to report a change in residence to the U.S. Probation Office, in violation of  
8 standard condition 6.

9 2. Failing to report to the U.S. Probation Office as instructed on August 21, 2009, in  
10 violation of standard condition 2.

11 3. Failing to make payments towards her restitution, in violation of the special  
12 condition that restitution in the amount of \$56,799.02 was due immediately or paid during the  
13 period of supervision in monthly installments.

14 In a subsequent petition dated August 24, 2009, U.S. Probation Officer Jerrod Akins alleged  
15 that defendant violated the following conditions of supervised release:

16 4. Consuming benzodiazepines on or before September 2, 2009, in violation of  
17 standard condition 7.

18 5. Consuming marijuana on or before September 2, 2009, in violation of standard  
19 condition 7.

20 6. Consuming cocaine on or before September 2, 2009, in violation of standard  
21 condition 7.

22 7. Associating with a convicted felon, Calvin Silva, without permission, in violation of  
23 standard condition 9.

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RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

  
BRIAN A. TSUCHIDA  
United States Magistrate Judge